

Comments on the proposed conservation of the specific name of *Chiola (Hybopsis) topeka* Gilbert, 1884 (currently *Notropis topeka*) (Osteichthyes, Cypriniformes)
(Case 2808; see BZN 49: 268–270; 50: 144, 287–289)

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I read with great interest the reply (BZN 50: 289) by Drs Frank B. Cross & Joseph T. Collins to my previous comment co-authored with Dr Carter R. Gilbert (BZN 50: 287–288). I consider that it is both inaccurate and inappropriate with regard to the nomenclatural change we (Mayden & Gilbert, 1989) proposed for *Notropis topeka* to *N. tristis*.

Cross & Collins criticize the Girard (1856) description of *Notropis tristis* as being inaccurate and poor. They regard this description as such because it 'has not enabled assignment of the name to any known taxon without reference to the type material'. This is neither a fair assessment of Girard's research nor the information provided in the description. They state that 'There are several species to which Girard's description might apply ...'. This is also incorrect. There are few species that are found in the region where Girard conducted his research that are consistent with the description. The description is much better than that for many species that we accept today as valid and have no extant types.

Cross & Collins use the argument of *Notropis tristis* being considered for listing by the U.S. Fish and Wildlife Service as a 'Category One' species in need of further study and protection. This is also a very weak argument and one without substance. The nomenclatural change from *Notropis topeka* to *N. tristis* has already been accepted by the Fish and Wildlife Service. The list of candidate species for federal protection lists the species as *N. tristis*, not *N. topeka*!

I believe that the arguments provided by Cross & Collins in their application and in their subsequent comment are without scientific merit and reflect a personal bias towards a local name for the species. While it may be nice to accommodate personal preferences on such issues it is clear that the rules of zoological nomenclature were established to eliminate such foolishness.

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The date for Girard's name *Moniana tristis* is given as 1857 in the application by Drs F.B. Cross & J.T. Collins. Since about 23 genera and 133 new species were described in Girard's work accurate dating is important. Although 1857 is often used, 1856 is more common and is correct.

Girard's paper was published in the *Proceedings of the Academy of Natural Sciences of Philadelphia*, vol. 8, pp. 165–213 in 1857 and was recorded (1913) with this date in the 'Index to the scientific contents of the Journal and Proceedings of the Academy ... 1812–1912'. However, an entry (p. 1) in the 'Correspondence-1857'

section of the *Proceedings*, vol. 9 (1858) certifies receipt of '*Proceedings*, vol. viii, No. 5' (Girard's paper) by the Trustees of the New York State Library on or before 27 December 1856. Thus, Girard's paper was issued sometime between the date of acceptance, 30 September (*Proceedings*, vol. 8, p. 163) and 27 December 1856. It was the practice of the Academy to publish and distribute parts of the *Proceedings* when printed, with the title page of the volume showing the date when the volume was to be assembled (1857 for vol. 8 of 1856). The situation is further complicated since Girard's paper, with slightly changed title (the words 'of America' are lacking) and different pagination (pp. 1–54), was issued as an offprint in September 1856. The (1913) 'Index ... 1812–1912' (p. vii) noted 'The issue to authors of separate copies of papers from the *Proceedings* antedates the publication of the numbers of which they form a part, the record being printed on the covers of the separata but not otherwise preserved'. The type bed in the volume and the separate were the same; the separate had a terminal four pages of a list of species and an index (pp. 51–54).

I have been aware of the application to conserve the specific name of *Notropis topeka* (Gilbert, 1884) since its inception. In fact, I intended to request the conservation of this name myself until I learned that Drs Cross and Collins were doing so. I therefore support with enthusiasm the proposed conservation of the name for the familiar cyprinid fish of north-central United States.

Identification of the two located syntypes of *Moniana tristis* Girard, 1856 with two well-marked species, *Lythrurus* (or *Notropis*) *umbratilis* Girard, 1856 and *Notropis topeka* (see Mayden, 1987, Mayden & Gilbert, 1989 and paras. 3 and 4 of the application) emphasizes the inadequacy of Girard's original description, which C.R. Gilbert (1978, p. 84), following others, ranked as not definitely identifiable. It is difficult to rationalize the observation by Mayden & Gilbert (BZN 50: 287, para. 4; see above also) that Girard's description 'was good according to the standards at the time'.

As Cross & Collins have shown, the consistent and unquestioned use of *Notropis topeka* during this century has served scientific communication well. In their opposition to the application, Mayden & Gilbert defend their (unnecessary) selection of a lectotype for *Moniana tristis* that dictates replacement of *topeka*. They do not address the issue of conservation of the latter name but defend nomenclatural priority with spirit. In so doing they overlook evidence that the Commission is not blind to the fundamental importance of stability (see Article 23b of the Code). Recommendation 24A comments on the action of first reviser (which could have been exercised in this case; see paras. 3 and 4 of the application): 'An author should choose the name, homonym, spelling, or nomenclatural act that will best serve stability and universality of nomenclature'. Mayden & Gilbert (1989) disregarded this exhortation and then (BZN 50: 288, para. 7) challenged the 'scientific integrity' of a choice that could have avoided a name change.

I have discussed Cross & Collins's application, the previous comments and this statement with four local ichthyological colleagues, William L. Fink, William A. Gosline, Robert Rush Miller and Gerald R. Smith. They agree with me that the three actions proposed in para. 6 of the application will contribute substantially to nomenclatural stability, and we strongly endorse them. Approval from these colleagues indicates that support is not only regional (Kansas), as suggested by Kuhajda (BZN 50: 289) and Mayden (above).